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24 **VAN A. PENA, PHD., M.D.**

25 **THE UNITED STATES DISTRICT COURT**
26 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

27 **VAN A. PENA, PHD., M.D.,**

28 **Plaintiff,**

v.

TIMOTHY MEEKER, PATRICIA
REES, HAL PETERSON, JENNIFER
WEAR, DENISE SHELDON, NORM
KRAMER, AND JUDITH BJORNDAI,

Defendants_

S CASE NO. C 00-4009 CW

S

S

S STIPULATION REQUESTING THAT

S THE CASE MANAGEMENT

S CONFERENCE BE RESCHEDULED

S

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S Current CMC date: June 24, 2008

S

S Proposed CMC date: September 23, 2008

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S The Honorable Claudia Wilken

29 **NOW COME THE PARTIES,** by and through their counsel of record, and hereby
30 request that the Case Management Conference, which is currently set for June 24, 2008, be
31 rescheduled for June 24, 2008. In support thereof, the parties would show the Court the

1 following:

2 1. This case is currently on appeal before the United States Court of Appeals for the
3 Ninth Circuit. The matter has been fully briefed, but has not been set for oral argument. The
4 parties do not anticipate a decision from the Ninth Circuit prior to the current March 4, 2008 date
5 for the Case Management Conference.

6 Accordingly, the parties respectfully request that this Court reschedule the Case
7 Management Conference for September 23, 2008.

8 Dated: June 4, 2008

Respectfully Submitted,

9 EDMUND G. BROWN, JR
10 Attorney General of the State of California
11 MIGUEL NIRI
FIEL D. TIGNO

12 /s/ Terry Senne

13 TERRY SENNE
14 Deputy Attorney General
Attorneys for Defendants

15 Dated: June 4, 2008

LAW OFFICES OF LAWRENCE J. KING

16 By: /s/ Lawrence J. King

17 LAWRENCE J. KING
18 Attorney for Plaintiff
VAN A. PENA, PHD., M.D.

19 **~~[PROPOSED]~~ ORDER**

20 Having reviewed the parties stipulation and finding good cause therefor, the Court hereby
21 GRANTS the parties request and reschedules this case for a Case Management Conference to be
22 held on September 23, 2008 at 2:00 p.m.
23

24 **IT IS SO ORDERED.**

25
26 Dated: 6/10, 2008

27 
28 The Honorable Claudia Wilken
United States District Judge